

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

KEMPER VALVE & FITTINGS CORP.

Plaintiff,

v.

BUDDY WOOD, KENNETH KLINGBAIL,
FLOW VALVE, LLC,

Defendants.

No. 08 C 513

HONORABLE JUDGE GUZMAN
MAGISTRATE JUDGE NOLAN

DECLARATION OF KENNETH KLINGBAIL

I, Kenneth Klingbail, declare and state as follows:

1. I am over eighteen years of age, have personal knowledge of the matters set forth herein, and am competent to testify as to them if called upon to do so.
2. I am a citizen and resident of the State of Oklahoma.
3. I began employment with Flow Valve, LLC in September 2007.
4. I work only at Flow Valve's facility located in Sulphur, Oklahoma. I have never done anything on behalf of Flow Valve in the state of Illinois or in contact with anyone who was located in Illinois.
5. I resigned from Kemper Valve & Fittings Corp. on July 3, 2007. At that time my plans were to move to Houston, Texas. I shipped my household belongings to Houston, Texas and had begun the process of purchasing real property in the Houston area. I had resided in the Houston, Texas area before I went to work for Kemper and moved to Illinois.



6. Buddy Wood did not cause or convince me to leave employment with Kemper. Buddy Wood did not ask me to come to work for Flow Valve, while I was employed by Kemper. I did not leave employment with Kemper with the intention of going to work for Flow Valve.

7. I did not enter into any agreement with Buddy Wood to create a competitor to Kemper or to create Flow Valve, LLC.

8. I have not solicited any of Kemper's top twenty (20) customers.

9. I was not affiliated with Flow Valve in any way and did nothing on its behalf, while I was employed by Kemper or while I resided in Illinois.

UNDER PENALTIES OF LAW AS PROVIDED IN SECTION 1-109 OF THE ILLINOIS CODE OF CIVIL PROCEDURE, I DECLARE THAT THE FOREGOING STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Dated: February 28, 2008


Kenneth Klingbail